

1 HARRIS B. TABACK, ESQ., SBN 111017
2 LAW OFFICES OF HARRIS B. TABACK
3 345 Franklin Street, Ste. 102
4 San Francisco, CA 94102
5 Telephone: (415) 241-1400
6 Facsimile: (415) 565-0110
7 Email: htaback@earthlink.net

8 Attorney for Defendant SYED NAWAZ

9
10
11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 OAKLAND DIVISION
14

15
16 UNITED STATES OF AMERICA,

17 Plaintiff,

18 V.

19 SYED NAWAZ,

20 Defendant.
21

)
) No. CR 17-140 HSG
)
) NOTICE OF MOTION AND MOTION
) TO WITHDRAW GUILTY PLEA AND
) ORDER
)
) Date: January 31, 2020
) Time: 2:00 p.m.
) Court Room: The Honorable Haywood S.
) Gilliam
) United States District Judge
)

22 COMES NOW DEFENDANT SYED NAWAZ, by and through counsel, HARRIS B.
23 TABACK, who hereby requests that his previously entered plea of guilty to making false
24 statements to a government agency (Count One of a One Count Information) be withdrawn and
25 the case dismissed. The reason for this request is as follows:

26 On January 14, 2019, NAWAZ entered into a Post-Plea Diversion Agreement that was
27 accepted by this Honorable Court. He pled guilty to the One Count Information and sentencing
28 is deferred until January 31, 2020. The diversion agreement provided that if NAWAZ

1 successfully completed the terms of his diversion, “the government agrees to (a) join in the
2 defendant’s motion to withdraw his guilty plea, and (b) move to dismiss Count One of the
3 Superseding Information.” [Post Diversion Plea Agreement Docket # 82].

4 NAWAZ has successfully completed all terms of his diversion. As a result, we now ask
5 this Honorable Court to permit him to withdraw his guilty plea and dismiss the charge.

6 DATED: January_____, 2020

Respectfully Submitted,

8 _____
/s/ Harris B. Taback

9 HARRIS B. TABACK

10 Attorney for Defendant SYED NAWAZ

11 **ORDER**

12 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED THAT SYED NAWAZ’S
13 guilty plea is withdrawn as to Count One of the One Count Superseding Information and the
14 Superseding Information is dismissed with prejudice.

15 DATED: January 31, 2020

16 _____
17 *Haywood S. Gilliam, Jr.*

18 The Honorable HAYWOOD S. GILLIAM, JR.
19 UNITED STATES DISTRICT JUDGE
20
21
22
23
24
25
26
27
28